



STATE OF NEVADA
STATE CONSERVATION COMMISSION

901 South Stewart Street, #5004
Carson City, Nevada 89701
Phone (775) 684-2760 - Fax (775) 684-2761

DRAFT MINUTES
STATE CONSERVATION COMMISSION
Monday, November 7, 2005 at 7:00pm (Fiji Room)
& Wednesday, November 9, 2005 at 4:30 pm. (North Shore Room)
Casa Blanca Hotel-Casino
950 West Mesquite Blvd.
Mesquite, NV 89027
(702)346-6846

The State Conservation Commission considered and acted on the following items on November 7, 2005 at 7:00pm:

Board Members Present: James Settelmeyer-Carson Valley CD, Commission Chairman; Keith Whipple-Lincoln County CD, Commission Vice-Chairman; Judy Currier-CD of Southern Nevada; Joe Sicking-Paradise-Sonoma CD; Howard Glancy-Dayton Valley CD; Don Henderson-NV Dept. of Agriculture and Rang Narayanan-University of Nevada-Reno

Others Present: Pam Wilcox, Executive Secretary-NV Division of Conservation Districts; Kelly McGowan-NV Div of Conservation Districts; Sandi Gotta-NV Div of Conservation Districts; Chris Freeman, President-Nevada Association of Conservation Districts; Patsy Tomera-Eureka CD; Nick Pearson-Washoe/Storey CD; Eleanor O'Donnell-Jiggs CD; Lesley Bunch-Lander County CD; and Michelle Cole-Mason & Smith Valley CDs

I. CALL TO ORDER

A. Chairman James Settelmeyer called the meeting to order at 7:10pm. Introductions were made of those present.

II. ELECTION OF OFFICERS – *ACTION*

A. *Election of Chairman* – Joe motioned to nominate James Settelmeyer to maintain his current officer position as chairman. Don Henderson seconded the motion and the motion passed.

B. *Election of Vice-Chairman* – Joe motioned to nominate Keith Whipple to maintaining his current position as vice-chairman. Don Henderson seconded the motion and the motion passed.

III. REVIEW, AMMENDMENT AND APPROVAL OF MINUTES – *ACTION*

- A. *Approval of the June 15, 2005 meeting minutes.* – Howard moved to approve the June 15, 2005 minutes as submitted with no changes, Keith seconded the motion and the motion passed.
- B. *Approval of the July 26, 2005 meeting minutes.* Judy moved to approve the June 26, 2005 minutes as submitted with no changes. Howard seconded the motion and the motion passed.

IV. PUBLIC COMMENT

Three-minute time limit per person, limited to items not on the agenda.

James Settelmeyer discussed concern over a recent decision from the Supreme Court addressing the landowner Bill of Rights. He provided a copy of the decision to the commission for information. He will continue to monitor affects from the decision should they impact Nevada landowners in regard to 'land takings' from the government.

Judy Currier expressed a desire to obtain more information on the proposed water transfer deals from rural Nevada to Las Vegas. He suggested having Tom Gallagher, a northeast Nevada attorney to the next commission meeting. Judy Currier suggested inviting Hugh Ricci, State Engineer to attend and address this issue. Staff will follow-up to provide a speaker at the next meeting.

Dr. Rang would like to explore the possibility of working with the University of Nevada in partnership with conservation districts to develop an intern program. Students from the university could work with, or for CDs while earning credits from the university. Dr. Rang will work with staff to provide information on this proposal and possible alternatives will be explored at the next commission meeting.

V. INTERNAL DIVISION REPORTS

A. Status of the Division of Conservation Districts

1. Fiscal Report – Pamela B. Wilcox – Pam reported that staff would soon be starting the budget building process for fiscal years 2007-2008.
2. General – Pamela B. Wilcox – Pam reported that CDs Administrative Assistant, Ana Jimenez, has accepted a promotion to a new position in the Division of Environmental Protection. The commission and staff all congratulated her and although she will be missed, wished her well. Pam also reported that the new Bryan Building is completed and the CDs office has moved in. It is nice to have most of the divisions in the department together in one building.
3. Conservation District Meeting Logs – Kelly McGowan & Sandi Gotta – Kelly reviewed the meeting logs with the commission. Staff continually compiles a log of all agendas, minutes and required reports as they are turned in to the commission. Kelly and Sandi noted an improvement from last year in an effort to educate and assist CDs in the compliance with the open meeting law.
4. General Correspondence – Kelly McGowan & Sandi Gotta – Staff reviewed a letter from the Attorney General's office outlining changes to the Open Meeting Law and the Ethics Law that passed during the last legislative session. The most important change is that CDs are now required to maintain an audio tape recording of their meetings. A copy of the letter outlining the requirement(s) was sent to every conservation district for their information.

VI. REPORTS TO THE COMMISSION (please limit to 5 minutes)

- A. *Department of Conservation & Natural Resources – Allen Biaggi, Director* – No report.
- B. *Department of Agriculture – Don Henderson, Director* -

- Mr. Henderson reported that the Department of Agriculture office in Elko will be moving to a new location. The state office in Reno will also be moving into a new building in Reno.
- The Department of Agriculture will be hosting a BBQ this summer for legislators.
- A question was asked about the .10 per AUM charge that goes to the Range Commission. The funds are used to promote an educational campaign for the benefits of range grazing and public land grazing. Don informed the board that if 50% of those paying the tax ask for a refund, then the commission and the tax will sunset. Currently the fund is about \$150,000 per year.
- Kelly asked about the funds for spraying crickets and grasshoppers. The funding is still available. He added that this year the department sprayed four times more land than the previous year.

C. University of Nevada, Reno – Dr. Rangesan Narayanan

- Dr. Rang reported the new Plant materials Center finally has a signed lease agreement and a Cooperative Agreement signed by NRCS and the Board of Regents.
- Dr. Rang updated the commission on a land sale of 55 acres at McCarran to the City of Reno for flood control on UNR Farms. The University reached an agreement with the City of Reno to use the property for flood control instead of taking another offer to sell the land for development purposes. The land sold for \$12.1 million.
- Dr. Rang informed the commission that President Lilly has resigned and taken a new position at Baylor University.
- SB156 authorized a new degree program in cooperation with community colleges. It will be a 4-year degree program in plant and horticultural science. The university hasn't had a plant science program since 1963 and it will be a benefit to the university to offer such a program again.
- Kevin Piper has joined UNR as the Assistant Director to the university farm program. He will begin his new position November 1st.
- A tour across the state was taken to see what research needs are such as crickets, gophers and are there cooperative programs that can be taken with other colleges to develop a closer relationship.

D. Natural Resources Conservation Service – Richard Vigil, State Conservationist – Mr. Vigil was not present.

E. Farm Service Agency – Roger Van Valkenburg, Executive Director – Not present.

F. Nevada Association of Conservation Districts – President, Chris Freeman – Mr. Freeman reported that the NvACD Annual Meeting will begin in the morning and reviewed the agenda items to be discussed during the meeting. He encouraged all to attend and will update the commission and answer any questions at the next commission meeting on Thursday.

VII. REVIEW AND APPROVAL OF CONSERVATION DISTRICT'S DRAFT FINANCIAL REPORTS FY 2005 AS PER NAC 548.090 AND NAC 548.110 – *ACTION*

The commission reviewed and took action on the approval of the draft Financial Reports for FY 2005 for Eureka Conservation District, Lander Conservation District, Quinn Conservation District, Washoe-Storey Conservation District and White Pine Conservation District per NAC 548.100, 548.110 and 548.120.

- A. *Comments on District Financial Reports for the districts listed above* – Staff informed the commission that Lincoln CD had submitted an updated financial report. They had previously submitted a draft financial report that was review at the previous meeting. The financial reports for Lander Conservation District, Quinn Conservation District, Washoe-Storey Conservation District and White Pine Conservation District had been submitted to the CD office and reviewed by staff for review by the commission.
- B. *District/Public Comments* - None.
- C. *Commission action on acceptance of Financial Reports* -
 - 1. *Eureka Conservation District* - Staff reported that Eureka CD had not submitted a financial report. Staff acknowledged that there may have been some confusion with the CD office move resulting in a new address, new phone number and new fax number. Staff also acknowledged that email addresses did not change and even though other CD reports were submitted without a problem, efforts to obtain the report from Eureka CD were unsuccessful. The Chairwoman for Eureka CD was present at the meeting and asked the commission for additional time to submit their report at the next commission meeting in two days. Patsy Tomera told the Commission she would contact the district secretary and have the report faxed to the Casa Blanca Casino for the commission's review at Wednesday's meeting. Joe Sicking moved to table approval of Eureka CD's financial report until Wednesday's meeting. Keith seconded the motion and the motion passed.
 - 2. *Lander Conservation District* – The commission reviewed Lander CD's financial report. Joe moved to accept the report; Howard seconded the motion and the motion passed.
 - 3. *Quinn Conservation District* - The commission reviewed Quinn CD's financial report. Staff informed the commission that after the investigation by the District Attorney in an embezzlement case against the CD's former secretary, some of the final reported numbers might change. Staff also commented that the total expenditures reported did not total \$10,000 (the amount that would qualify them for the full grant amount). It was probable that there was additional in-kind match that had not been reported that would bring them to the total qualifying grant amount. Keith moved to approve them conditionally for the full amount if additional matching funds could be reported. Howard seconded the motion and motion passed. Staff will follow-up with Quinn River CD.
 - 4. *Washoe-Storey Conservation District* - Keith moved to approve the financial report for Washoe-Storey CD, Judy seconded the motion and the motion passed.
 - 5. *White Pine Conservation District* – Joe moved to approve the financial report for White Pine CD, Keith seconded the motion and the motion passed.

VIII. EQUALLY AWARD GRANT MONEY TO DISTRICTS THAT HAVE BEEN DESIGNATED AS ELIGIBLE AS PER NRS 548.178 AND 548.130 *ACTION*

Award Grants to Conservation Districts in "Good Standing" with Commission Approved Conservation District Budgets, Annual Workplans and Financial Reports

- A. *Eureka Conservation District* – Joe motioned to table action on Eureka CD until the next commission meeting. Keith seconded the motion and the motion passed.
- B. *Lander Conservation District* – Joe motioned to designate Lander CD as eligible to receive grant funds. Keith seconded the motion and the motion passed.

- C. *Quinn Conservation District* – Joe motioned to conditionally approve award of full grant funds to Quinn CD when staff can obtain documentation of additional in-kind match within a 30-day period. Keith seconded the motion and the motion passed.
- D. *Washoe-Storey Conservation District* – Keith motioned to designate Washoe-Storey CD as eligible to receive grant funds. Joe seconded the motion and the motion passed.
- E. *White Pine Conservation District* – Joe motioned to designate White Pine CD as eligible to receive grant funds. Keith seconded the motion and the motion passed.

IX. REVIEW AND APPROVAL OF ALL CONSERVATION DISTRICT'S FINANCIAL REPORTS FY 2005 AND ANNUAL REPORTS FY 2005 AS PER NAC 548.090 AND NAC 548.110 – *ACTION* The commission reviewed and took action on the approval of the Financial Reports for FY 2005 and the Annual Reports FY 2005 for all Conservation Districts as per NAC 548.100, 548.110 and 548.120*ACTION*

- A. *Division Staff review*- The commission reviewed all CD final financial reports, with the exception of Eureka Conservation District, for FY 2005 and the Annual Reports for FY 2005.
- B. *Conservation Commission Discussion* - The commission applauded the continual involvement and efforts of CDs statewide. The commission stated that a continual increase in activity and programs was an encouraging sign that CDs are playing a larger role in conserving the state's natural resources.
- C. *Commission Determination of approval* – Keith motioned to approve all Annual Reports, Howard seconded the motion and the motion passed. Keith motioned to approve all Financial Reports with the exception of Eureka CD, Howard seconded the motion and the motion passed.
- D. *Direction to Staff for Implementation of Statute* - With the exception of the \$5,000.00 that the Eureka CD may be eligible for after they submit the required reports and receive approval at the next commission meeting, the remaining \$20,000 dollars will be divided evenly among the districts approved for funding at this meeting.

X. OLD BUSINESS -

- A. *Discussion/approval of State Conservation Commission's Strategic Plan for 2005-2010.*
ACTION

The Commission reviewed the Conservation Commission's Strategic Plan for 2005-2010 and commented that they were pleased with aggressive plan for growth over the next five years and presentation of the plan. A few comments included adding page numbers to the document, include a timeline page that could be reviewed and updated at each meeting, and include some digital photos. A suggestion to include a column for 'completed' actions to the action plan was proposed and agreed. Dr. Rang motioned to approve the Strategic Plan as a final and working document, Joe seconded the motion and the motion passed.

XI. NEW BUSINESS

- A. Review statutory procedures in determining districts standings. Establish a policy or procedure for dealing with districts that are delinquent in their submittal of required reports.
ACTION

The Commission reviewed the procedures for determining districts good standing. The discussion also included the legislature's move to strengthen the Open Meeting Law and Ethics Law and the need to educate all CDs about the need to meet the statutes requirements for these laws. The Commission believed that efforts to strengthen CDs in these areas would not only strengthen their districts integrity and ability to implement more programs, but also as a protective measure from legal action similar to what has

occurred with other public entities. Keith moved to obtain more information from CDs on how the commission could act as an educator during the NvACD meeting and table further discussion and action on the item until the next meeting. Howard seconded the motion and the motion passed.

XII. STAFF ITEMS - Division Staff Comments

Unless otherwise listed with a topic description, this portion of the agenda is limited to announcements and discussions of items proposed for action at future meetings. – None.

XIII. COMMISSIONER ITEMS

Unless otherwise listed with a topic description, this portion of the agenda is limited to announcements and discussions of items proposed for action at future meetings. – None.

XIV. PUBLIC COMMENT

Three-minute time limit per person, limited to items not on the agenda. – None.

XV. ADJOURN TO RECONVENE AT THE NORTH SHORE ROOM ON THURSDAY, NOVEMBER 9, 2005 AT 4:30 PM. – *ACTION*

Joe moved to adjourn the meeting and reconvene on November 9, 2005 at 4:30pm at the conclusion of the NvACD meeting. Howard seconded the motion and motion passed.

The State Conservation Commission reconvened and considered and acted on the following items on November 9, 2005 at the Casa Blanca Hotel & Casino in Mesquite, Nevada commencing at 4:50 pm:

Board Members Present: James Settelmeyer-Carson Valley CD, Commission Chairman; Keith Whipple-Lincoln County CD, Commission Vice-Chairman; Judy Currier-CD of Southern Nevada; Joe Sicking-Paradise-Sonoma CD; Howard Glancy-Dayton Valley CD; and Rang Narayanan-University of Nevada-Reno

Others Present: Pam Wilcox, Executive Secretary-NV Division of Conservation Districts; Kelly McGowan-NV Div of Conservation Districts; Sandi Gotta-NV Div of Conservation Districts; Chris Freeman, President-Nevada Association of Conservation Districts; Carl Clinger-Big Meadow CD supervisor

I. CALL TO ORDER

- A. *Call to order:* - Chairman James Settelmeyer called the meeting to order at 4:50pm.
- B. *Introductions* - Introductions were made of those present.

II. OLD ITEMS CONTINUED - CONTINUATION OF ITEMS FROM NOVEMBER 7, 2005 MEETING THAT MAY REQUIRE DISCUSSION OR ACTION AS NOTED ON THE AGENDA *ACTION*

A. Review statutory procedures in determining districts standings. Establish a policy or procedure for dealing with districts that are delinquent in their submittal of required reports. *ACTION*.

The Commission further discussed how to educate and assist CDs in becoming more able to meet new and existing requirements of the Open Meeting Law and Ethics Laws. The Commission suggested that staff develop a template for minutes and agendas that could be

used by CDs. These templates could be developed in written and electronic format and forwarded to CDs for their use. The Commission also suggested writing a letter to districts explaining the need to have 'draft' minutes filed within 30 days of a meeting. Some CDs don't have regular monthly meetings to provide approved minutes within the 30 day required timeframe. The letter would explain that Nevada Revised Statutes requires at least 'draft' minutes to provide the public with documentation on what action was taken at the meeting. Judy motioned to implement these suggestions of developing templates and writing a letter of explanation to CDs. Keith seconded the motion and the motion passed.

B. Review and approval of Conservation District's Draft Financial Reports FY 2005 as Per NAC 548.090 and NAC 548.110 – *ACTION*

Staff informed the Commission that they had not received the financial report from Eureka Conservation District for their review. After discussion, the Commission agreed to allow Eureka CD a 30-day time frame to submit the report to the Div of CDs staff and allow staff discretion upon its review. Dr. Rang moved to allow Eureka CD 30 additional days to submit their financial report to staff. Joe seconded the motion and the motion passed.

Staff informed the Commission that they were unable to reach Quinn River CD to inquire about additional in-kind match documentation. Joe motioned to allow Quinn River CD an additional 50-day time frame to submit in-kind match documentation that would qualify them for the full grant amount. Keith seconded the motion and the motion passed.

C. Equally Award Grant Money to Districts That Have Been Designated As Eligible as Per NRS 548.178 and 548.130 *ACTION*

Eureka Conservation District - Keith motioned to designate Eureka Conservation District eligible to receive a grant upon receipt of their financial report within the 30-day timeframe to the Division of Conservation Districts staff. Joe seconded the motion and the motion passed.

C. Review statutory procedures in determining districts standings. Establish a policy or procedure for dealing with districts that are delinquent in their submittal of required reports. *ACTION*

The Commission further discussed their responsibility as the regulatory agency and the future of CDs requests to have the Commission seek and administer additional grant and public funds for CD projects and administration. The consensus was that CDs, as well as the Commission, must work towards total compliance in meeting the due dates for reports and minutes as established by the Commission and State Statute. The Commission did not believe that the due dates were unjustly strict and believed they had been very lenient in allowing extensions of time. Joe motioned that staff develop a letter to CDs reminding them of their required reports due dates and that they be vigilant in meeting those dates or they would risk losing their grant funds. Keith seconded the motion and the motion passed.

III. NEW BUSINESS

A. Consideration of resolutions approved and submitted by the Nevada Association of Conservation Districts on November 9, 2005. *ACTION*

Resolution #1 – This resolution submitted by Washoe-Storey Conservation District proposed the UNR Main Station Farm be maintained for agricultural, environmental and natural resources research; no part of the Main Station Farm be sold or leased for development or other non-compatible uses, and all proceeds from past or future sales or

leases be used solely for improvements, maintenance or research in agricultural and natural resources related programs. Joe motioned to adopt the resolution by the commission and send a letter of support of the resolution to the Dean of Agriculture, Judy seconded the resolution, and the motion passed with Dr. Rang abstaining from the vote.

Resolution #2 – This resolution submitted by the Carson Valley Conservation District addresses the loss of agricultural lands and food and fiber production. The resolution requests the US Dept of Agriculture, the US Dept of Interior and the US Dept of Defense to use available federal programs, funds from Nevada land sales and land trade opportunities to support the protection of Nevada agricultural land by purchasing development rights from willing agricultural sellers. Keith motioned to adopt the resolution. Joe seconded the motion. After discussion, Joe moved to amend the motion to include sending a letter in support of the resolution to those mentioned in the resolution. Howard seconded the amendment and the motion passed with one negative vote from Judy.

Resolution #3 - This resolution submitted by the Jiggs Conservation District addresses the USDA Forest Service regulations requiring motorized vehicles to stay on roads and trails designated for motorized vehicles and that permittees maintain the range and implement range improvements as necessary to conduct required range management practices. Joe motioned to adopt the resolution and send a letter of concurrence and support at the state level. Keith seconded the motion and the motion passed.

B. *Consideration of other items requested by the Nevada Association of Conservation Districts on November 9, 2005. *ACTION* - None.*

C. *Continuation of items from November 7, 2005 meeting that may require discussion or action as noted on the agenda. *ACTION* - Discussed under agenda item #II.*

IV. COMMISSIONER ITEMS – Commissioner comments and reports

Unless otherwise listed with a topic description, this portion of the agenda is limited to announcements and discussions of items proposed for action at future meetings.

Judy Currier expressed concern about statements made at the meeting from NRCS State Conservationist, Richard Vigil. She questioned his non-attendance at this commission meeting and prior meeting as he was in attendance at the hotel. During the NvACD meeting Mr. Vigil was asked about the procedure to ask questions about NRCS decisions and their impact on CDs. He stated that CDs should direct their questions to Chris Freeman and the questions would be forwarded to him. The Commission agreed concern over this procedure and would prefer a direct line of communication to the state conservationist.

V. STAFF ITEMS – Division Staff Comments

Unless otherwise listed with a topic description, this portion of the agenda is limited to announcements and discussions of items proposed for action at future meetings.
None.

VI. PUBLIC COMMENT

Three-minute time limit per person, limited to items not on the agenda.
None.

VII. NEXT COMMISSION MEETING – *ACTION*

A. *Set time and place.* The next meeting will be Tuesday, February 21st in Carson City beginning at 9:30 or 10:00am.

B. *Agenda Items.* Specific agenda items were discussed during the meeting. No additional items were discussed.

VII. ADJOURN – *ACTION*

Joe moved to adjourn the meeting at 6:15pm. Keith seconded the motion and the motion passed.